

**Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims**

1. (Currently Amended) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is operable ~~switched to said first mode according to an operation to~~ toward a first position corresponding to the first mode, and is operable ~~switched to said second mode according to an operation to~~ toward a second position corresponding to the second mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and

a control unit, which effects ~~different~~ control of said image pickup apparatus so as to make said image pickup apparatus active in accordance with the mode corresponding to the position to which said operation member is operated to one of the first position and the second position, if said operation member is operated when said image pickup apparatus is in a non-active state, and switch over the mode of said image pickup apparatus to the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in an active state and the current mode of said image pickup apparatus is different from the mode corresponding to the position to which said operation member is operated ~~in accordance with the mode set before said operation member is operated being the first mode or~~

~~the second mode even if said operation member is subjected to a same switching operation for switching from the third position to one of the first and second positions.~~

2. (Currently Amended) An image pickup apparatus according to claim 1, wherein during ~~said the~~ the second mode, said control unit ~~shifts said~~ switches the second mode to said first mode without operating said operation member, and according to an operation of an operation member related to photographing, different from said operation member related to the first and second modes.

3. (Canceled)

4. (Currently Amended) An image pickup apparatus according to claim 1, wherein said control unit withdraws a lens barrel according to the operation to ~~said the~~ the second position by means of said operation member, when said lens barrel is fed forward in a state of ~~said the~~ the second mode.

5.- 6. (Canceled)

7. (Canceled)

8. (Currently Amended) A control method of an image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, the image pickup apparatus having an operation member which is operable ~~switched to a first~~

~~mode for picking up an object image according to an operation to toward a first position corresponding to the first mode, and is operable switched to a second mode for reproducing a recorded image according to an operation to toward a second position corresponding to the second mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user, said control method comprising:~~

~~the a control step of effecting different control of said image pickup apparatus so as to make said image pickup apparatus active in accordance with the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in a non-active state, and switch over the mode of said image pickup apparatus to the mode corresponding to the position to which said operation member is operated, if said operation member is operated to one of the first position and the second position when said image pickup apparatus is in an active state and the current mode of said image pickup apparatus is different from the mode corresponding to the position which said operation member is operated in accordance with the mode set before said operation member is operated being the first mode or the second mode even if said operation member is subjected to a same switching operation for switching from the third position to one of the first and second positions.~~

9. (Canceled)

10. (Previously Presented) A storage medium computer-readably storing a program comprising a program code for causing a computer to execute said control method of an image pickup apparatus according to claim 8.

11. (Currently Amended) An image pickup apparatus including a first image pickup

mode for picking up an object image, a second image pickup mode for picking up an object image, a first image reproducing mode for reproducing a recorded image and a second image reproducing mode for reproducing a recorded image, said apparatus comprising:

an operation member which is operable ~~switched to said first mode according to an operation to~~ toward a first position corresponding to the first and second image pickup mode, and is operable ~~switched to said second mode according to an operation to~~ toward a second position corresponding to the first and second image reproducing mode, ~~and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; and~~

a control unit which controls mode switching of said image pickup apparatus so as to switch over the mode thereof between the first image pickup mode and the second image pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus to one of the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus between the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing mode, and switch over the mode of said image pickup apparatus to one of the first image pickup mode and the second image pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image reproducing mode and the second image reproducing

~~mode changes control to said image pickup apparatus according to a current one of said first and second modes in which said image pickup apparatus is set with the operation member in said third position and one of the first position and the second position, to which said operation member is operated from the third position.~~

12. (Currently Amended) A control method of an image pickup apparatus including a first image pickup mode for picking up an object image, a second image pickup mode for picking up an object image, a first image reproducing mode for reproducing a recorded image and a second image reproducing mode for reproducing a recorded image, the image pickup apparatus having an operation member which is operable switched to a first mode for picking up an object image according to an operation to toward a first position corresponding to the first and second image pickup mode, and is operable switched to a second mode for reproducing a recorded image according to an operation to toward a second position corresponding to the first and second image reproducing mode, and further itself is automatically forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user; said control method comprising:

the step of controlling mode switching of said image pickup apparatus so as to switch over the mode thereof between the first image pickup mode and the second image pickup mode if said operation member is operated to the first position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus to one of the first image reproducing mode and the second image reproducing mode if said operation member is operated to the second position when said image pickup apparatus is in one of the first image pickup mode and the second image pickup mode, switch over the mode of said image pickup apparatus between the first image

reproducing mode and the second image reproducing mode if said operation member is  
operated to the second position when said image pickup apparatus is in one of the first image  
reproducing mode and the second image reproducing mode, and switch over the mode of said  
image pickup apparatus to one of the first image pickup mode and the second image pickup  
mode if said operation member is operated to the first position when said image pickup  
apparatus is in one of the first image reproducing mode and the second image reproducing  
mode ~~changing control to said image pickup apparatus according to a current one of said first~~  
~~and second modes in which said image pickup apparatus is set with the operation member in~~  
~~said third position and one of the first position and the second position, to which said operation~~  
~~member is operated from the third position.~~